



Practitioner's Docket No.: 791\_130 RCE

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the application of: Li YANG and Toshihiro YOSHIDA

Ser. No.: 09/770,725

Group Art Unit: 1746

Filed: January 26, 2001

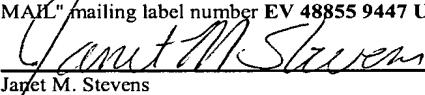
Examiner: Jonathan Crepeau

Confirmation No.: 6015

For: LITHIUM SECONDARY BATTERY

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Commissioner for Patents  
P.O. Box 1450  
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Janet M. Stevens

**REQUEST FOR RECONSIDERATION OF FINAL REJECTION**

Sir:

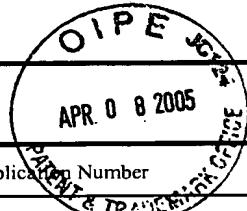
The following remarks are in response to the Office Action mailed January 14, 2005.

Claims 1-17 were rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,350,544

(Takami '544) in view of U.S. Patent No. 6,083,644 (Watanabe '644).

Takami '544 discloses that lithium secondary batteries suffer from low charge/discharge efficiency and low cycle life) because lithium constituting the negative electrode is degraded due to a reaction with a nonaqueous electrolyte (Takami '544, col. 1, lines 44-51). Takami '544 is directed to a lithium secondary battery having, according to the patent, an improved negative electrode containing a carbonaceous material (Takami '544, col. 1, lines 9-12).

The negative electrode of Takami '544 comprises a carbonaceous material which is capable of absorbing and desorbing lithium ions (Takami '544, col. 2, lines 55-59). The carbonaceous material has a region of amorphous carbon structure and a region of graphite



04.11.05 AF ZPW

## TRANSMITTAL FORM

(Provisions of 37 CFR 1.136 Apply)

Application Number	09/770,725	Filing Date	January 26, 2001
Group Art Unit	1746	Examiner Name	Jonathan Crepeau
Confirmation No.	6015	Attorney Docket No.	791_130 RCE
Inventor(s)	Li YANG and Toshihiro YOSHIDA		
Invention:	LITHIUM SECONDARY BATTERY		

Transmitted herewith is a Request for Reconsideration in the above-identified application. The fee has been calculated as follows:

### CLAIMS AS AMENDED

(1)	(2) Claims Remaining After Amendment	(3)	(4) Highest Number Previously Paid	(5) No. of Extra Claims Present	(6) Rate (Large Entity)	(7) Additional Fee
TOTAL CLAIMS	17	MINUS	20	0	\$50.00	\$00.00
INDEP. CLAIMS	2	MINUS	3	0	\$200.00	\$00.00
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>						<b>\$00.00</b>

### EXTENSION OF TERM

- Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.
- This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application. The requested extension and appropriate non-small entity fee are as follows:
  - One Month (37 CFR 1.17(a)(1)) ..... \$120.00
  - Two Month (37 CFR 1.17(a)(2)) ..... \$450.00
  - Three Month (37 CFR 1.17(a)(3)) ..... \$1,020.00

### TOTAL FEES DUE

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount is reduced by one-half, and the resulting fee is:

### FEE PAYMENT

- No additional fee is required.  A check in the amount of \$\_\_\_\_\_ is enclosed.
- Charge Deposit Account 50-1446 in the amount of \$. Enclosed is a duplicate copy of this sheet.
- Please charge any fees which may be required, or credit any overpayment, to Deposit Account 50-1446.

### Submitted By:

Name (Print Type)	Kevin C. Brown	Reg. No.	32,402	Customer No.	025191
		Telephone	(315) 233-8300	Facsimile	(315) 233-8320
Signature				Date	April 8, 2005

### EXPRESS MAIL CERTIFICATE

"Express Mail" label number EV 48855 9447 US

Date of Deposit: April 8, 2005

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Janet M. Stevens